

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

PARKER POE,)	
)	
Plaintiff,)	Case No. 3:24-cv-00368
)	
v.)	Judge Crenshaw
)	
DR. MELANIE LOWE, et al.)	Magistrate Judge Frensley
)	
Defendants.)	

**ORDER GRANTING PLAINTIFF’S MOTION FOR RELEASE OF RECORDS
PURSUANT TO THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY
ACT**

This matter came before the Court on Plaintiff’s Motion for Order Authorizing Release of Records Pursuant to the Family Educational Rights and Privacy Act (“FERPA”). The Court, having considered the Motion, any responses thereto, and being otherwise sufficiently advised, finds as follows:

1. Plaintiff seeks the education records of a non-party student, hereinafter referred to as S.A., as part of discovery in this matter.
2. The Court finds that the education records of S.A. are relevant to Plaintiff’s claims in the Second Amended Complaint.
3. The Court further finds that these records are necessary for the fair adjudication of Plaintiff’s claims.
4. FERPA, 20 U.S.C. § 1232g(b)(2)(B) and 34 C.F.R. § 99.31(a)(9)(i), permit the disclosure of education records pursuant to a lawfully issued judicial order.

5. Vanderbilt University does not oppose the issuance of this Order.

IT IS THEREFORE ORDERED:

1. Plaintiff's Motion for Release of Education Records Pursuant to FERPA is GRANTED.

2. Within 10 days of the entry of this Order, Vanderbilt University shall produce to Plaintiff's counsel the education records pertaining to S.A. that are otherwise responsive to Plaintiff's discovery requests.

3. This Order constitutes a judicial order for the disclosure of education records pursuant to FERPA, 20 U.S.C. § 1232g(b)(2)(B) and 34 C.F.R. § 99.31(a)(9)(i).

4. Pursuant to 34 C.F.R. § 99.31(a)(9)(ii), Vanderbilt University shall make a reasonable effort to notify S.A. of this Order and of the specific records requested before complying with this Order, unless such notification would significantly impede the University's ability to comply with this order.

5. All education records produced pursuant to this Order shall be designated as "CONFIDENTIAL" and subject to the Stipulated Protective Order previously entered in this case.

6. For privacy protection, all non-party individuals shall be referenced by initials only in filings and documents submitted to the Court. Vanderbilt University and the other defendants have been provided the full identities corresponding to the initials referenced herein and can identify the specific individual referenced.

7. The education records produced pursuant to this Order shall be used solely for the purpose of this litigation and shall not be disclosed to any person except as permitted by the Stipulated Protective Order.

8. Upon final resolution of this action, including any appeals, all education records produced pursuant to this Order and all copies thereof shall be returned to Vanderbilt University or destroyed in accordance with the terms of the Stipulated Protective Order.

IT IS SO ORDERED.



Jeffery S. Frensley
United States Magistrate Judge